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12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

14 MAXIMILIAN KLEIN and SARAH  
15 GRABERT, individually and on behalf of all  
others similarly situated,

16 *Plaintiffs,*

17 vs.

18 FACEBOOK, INC., a Delaware corporation  
19 headquartered in California,

20 *Defendant.*  
21

Case No. 5:20-cv-08570-LHK

Hon. Lucy H. Koh

**[PROPOSED] ORDER GRANTING KLEIN  
PLAINTIFFS' APPLICATION TO  
APPOINT QUINN EMANUEL URQUHART  
& SULLIVAN, LLP AND KELLER  
LENKNER LLC AS INTERIM CO-LEAD  
COUNSEL FOR THE USER CLASS**

**[PROPOSED] ORDER**

On March 5, 2021, Plaintiffs Maximilian Klein and Sarah Grabert (“the *Klein* Plaintiffs”) submitted an application to appoint Stephen A. Swedlow, Warren Postman, and their respective firms—Quinn Emanuel Urquhart & Sullivan, LLP and Keller Lenkner LLC—as interim Co-Lead Counsel for the User Class. The Court held a hearing on March 18, 2021.

Having considered the *Klein* Plaintiffs’ application, the record, the arguments of counsel, and the relevant authorities, the Court **ORDERS** as follows:

1. The Court **APPOINTS** Stephen A. Swedlow and Warren Postman as Interim Co-Lead User Class Counsel pursuant to Federal Rule of Civil Procedure 23(g)(3).

2. Co-Lead User Class Counsel shall be generally responsible for coordinating the activities of the User Class during pretrial proceedings and shall:

- a. Determine and present (in briefs, oral argument, or such other fashion as may be appropriate, personally or by a designee) to the Court and opposing parties the position of the User Class on all matters arising during pretrial proceedings;
- b. Coordinate the initiation and conducting of discovery on behalf of the User Class, consistent with the requirements of Fed. R. Civ. P. 26(b)(1), 26(b)(2), and 26(g), including the preparation of joint interrogatories and requests for production of documents and the examination of witnesses in depositions;
- c. Conduct settlement negotiations on behalf of the User Class, but not enter binding agreements except to the extent expressly authorized;
- d. Delegate specific tasks to other counsel or committees of counsel, as authorized by the Court, in a manner to ensure that pretrial preparation for the User Class is conducted efficiently and effectively;
- e. Enter into stipulations with opposing counsel as necessary for the conduct of the litigation;
- f. Prepare and distribute periodic status reports to the parties;

- IT IS SO ORDERED.**

Hon. Lucy H. Koh  
United States District Judge